

Application No: 10/718,524
Attorney's Docket No: ALC 3098

The section 6 on pages 5-13, the Office Action rejects claims 1-6, 10-20, 24 and 25 under 35 U.S.C. § 102(e) as being allegedly anticipated by US Patent No. 2004/0085953 to Davis.

This rejection is respectfully traversed.

The rejection is repeated from the Office Action dated July 18, 2006. Applicant responded to the rejection in the Amendment filed August 25, 2006. The Office Action responds to the amendments and arguments contained in Applicant's August 25, 2006, Amendment in section 3 on pages 2-4.

Regarding claim 1, the Office Action's response to the arguments contained in the August 25, 2006, Amendment, appears in the final three paragraphs on page 2 and in the first paragraph on page 3. Applicant respectfully asserts that this response mischaracterizes the disclosure of Davis.

In particular, referring to page 10, first paragraph, in the Amendment filed August 25, 2006, Applicant notes that the fixed keys in Figure 2 of Davis have a fixed 32-bit "prefix" before length bits 90. Thus, the term prefix is not used in Davis in the same way as the term prefix is used in the specification and in the pending claims. *See*, specification Figure 2. In the specification and the pending claims, the prefix is equal to the sum of the value of the variables n and o. The Office Action analogizes the prefix disclosed in Davis to the variable o alone in the claims. Thus, the way the term prefix is used in the claims and the way the "prefix" disclosed in Davis is used are not the same.

Application No: 10/718,524
Attorney's Docket No: ALC 3098

Regarding independent claim number 24, the Office Action responds to the arguments contained in the August 25, 2006, Amendment, in the second paragraph on page 3 through the first paragraph of page 4. However, it is unclear to Applicant how this response actually addresses the arguments made regarding independent claim 24 in the Amendment filed August 25, 2006. Thus, Applicant incorporates the arguments made regarding independent claim 24 in the August 25, 2006, Amendment, by reference, in their entirety.

Claims 2-6, 10-20 and 25 are allowable based at least on their dependence from claims 1 and 24, respectively, for at least the reasons stated above in connection with claims 1 and 24, as well as for the separately patentable subject matter recited therein.

In section 8 on pages 12-13, the Office Action rejects claims 21 and 23 under 35 U.S.C. § 102(b) as allegedly being anticipated by "Forwarding Engine For Fast Routing Lookups And Updates" by Yu et al. (hereinafter "Yu"). This rejection is respectfully traversed.

The rejection is repeated from the July 18, 2006, Office Action. Applicant responded to the rejection in the Amendment filed August 25, 2006. The Office Action includes a section responding to the arguments included in Applicant's August 25, 2006, Amendment, with respect to independent claim 21, beginning in the second paragraph on page 4 through the end of page 4.

Referring again to the Amendment filed August 25, 2006, Applicant argued that Yu does not disclose, teach or suggest, "arranging said selected group in the form of grouping table" (emphasis added). The Office Action's response on page 4 does not address this deficiency in Yu.

Application No: 10/718,524
Attorney's Docket No: ALC 3098

Claim 23 is allowable based at least on its dependence from claim 21 for the reason stated above in connection with claim 21, as well as for the separately patentable subject matter recited therein.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 21 and 23 as allegedly being anticipated by Yu be withdrawn.

In section 10 on pages 13-15, the Office Action rejects claims 7-9 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Yu. This rejection is respectfully traversed.

The rejection is repeated from the Office Action dated July 18, 2006. Applicant responded to this rejection in the Amendment filed August 25, 2006. The Office Action includes a response to the arguments contained in the August 25, 2006, Amendment, in section 4 on page 5.

Applicant respectfully asserts that the logic applied in the Office Action's response is improper. Specifically, dependent claims are allowable if the claims upon which they depend are allowable. This is true by definition. However, it does not follow that an improper rejection of an independent claim necessitates a rejection of the narrower subject matter recited in its dependent claims. Thus the Office Action's assertion in response to the argument contained in the Amendment filed August 25, 2006, with respect to the rejection of claim 7-9 and 26 as allegedly being unpatentable over Davis in view of Yu, fails on logic alone.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 7-9 and 26 as allegedly being unpatentable over Davis in view of Yu be withdrawn

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In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the correspondence attorney listed below at the telephone number listed below in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: 1/10/07


Mark R. Woodall
Registration No.: 43,286

KRAMER & AMADO, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314
Phone: 703-519-9801
Fax: 703-519-9802